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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,282	01/25/2002	Michael W. Wallace	3301-004	3459
20575	7590	06/09/2006	[REDACTED]	EXAMINER
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			HASAN, SYED Y	
			[REDACTED]	ART UNIT
				PAPER NUMBER
			2195	

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/057,282	WALLACE ET AL.	
	Examiner	Art Unit	
	Syed Y. Hasan	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 January 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 25 January 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/25/2002</u> . | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
6) <input type="checkbox"/> Other: _____. |
|---|--|

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

On (page 4, line 30) the examiner requests clarification between "screen 16" and "display 16" in (figure 3). Since both reference the same equipment, they should be named the same.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because of the following:

In figure 1, they fail to show the correct direction of the arrow . Since the control unit is reading the memory as described in the specification, the direction of the arrow should be reversed. Refer to (page 3, line 6).

In (figure 3) item 16 is not labeled. Refer to (page 4, line 30).

In (figure 4, actor 1 and actor 2) are not labeled. Refer to (page 5, line 30).

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief

description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) with regards to claim 5 (page 9, lines 26 –27), it is unclear what does the limitation, "the metadata annotation" refers to. There is insufficient antecedent basis for this limitation in the claim.

(2) with regards to claim 7 (page 10, line 6), it is unclear what does the limitation, "said first entire network" refers to. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Benson et al (US 5574845).

(1) with regards to claim 1, Benson et al discloses the steps of:

storing within a memory a sequence of time-coded video frames arranged to play in a default order to display an entire work (page 1 lines 41 – 42)

defining and storing in memory metadata associated with the video frames comprised of a plurality of possibly overlapping thematic categories (figure 6, page 1, lines 16 – 22 and lines 36 - 40)

displaying for selection to the user a list of the plurality of thematic categories (page 1, lines 56 – 65)

selecting for viewing a portion of said entire work associated with the selected thematic category (page 1, lines 54 – 55)

(2) with regards to claim 2

correlating the metadata stored in the memory with the user-selected thematic category (page 1, lines 16 – 22); and retrieving for viewing from memory the time-coded video frames associated with the user-selected thematic category (page 1, lines 54 – 55)

(3) with regards to claim 3

the step of displaying the portion of the entire work according to the time-coded order of the video frames (figure 6, page 2, lines 4 – 12),

(4) with regards to claim 4

the step of displaying the portion of the entire work at least partially independent of the time-coded order of the video frames.(figure 6, page 2, lines 18 – 19),

(5) with regards to claim 5

storing with the metadata annotations for segments of the entire work associated with the content of those segments, wherein segments are comprised of a plurality of consecutive time-coded video frames (figure 6, page 2, lines 8 – 12 and page 1, lines 16 – 22)

(6) with regards to claim 6

the annotations for particular segments are different depending upon the selected thematic category (figure 6, page 2, lines 8 – 19)

(7) with regards to claim 7

storing within a memory a second sequence of time-coded video frames arranged to play in a default order to display a second entire work (page 2, lines 26 – 31);

defining and storing in memory metadata associated with the second sequence of video frames comprised of a plurality of thematic categories in common with said thematic categories of said first entire work (page 2, lines 34 – 45); and

selecting for viewing a portion of said second entire work, concurrent with the

portion of said first entire work, associated with the selected thematic category (page 2, lines 48 – 53)

(8) with regards to claim 8

the steps of selecting two or more thematic categories having overlapping portions thereof and retrieving for viewing from memory the time-coded video frames associated with said overlapping portions (page 11, lines 22 - 25)

(9) with regards to claim 9

the steps of selecting two or more thematic categories and retrieving for viewing from memory the time-coded video games associated with any one of said selected thematic categories. (page 11, lines 22 - 25 and page 13, lines 25 – 30)

(10) with regards to claim 10

thematic categories at least partially overlap so that a plurality of video games are simultaneously associated with at least two themes (page 1, lines 15 – 20)

(11) with regards to claim 11

displaying programmatic content comprising the steps of:

indexing within a table segments of the programmatic content using at least two possibly overlapping thematic categories (page 1, lines 15 – 20)

enabling user selection of at least one of the thematic categories for viewing (page 1, lines 54 – 55);

arranging the segments of programmatic content into a video sequence responsive to the user-selected thematic category (figure 6, page 1, lines 16 – 20 and lines 36 - 40) ; and

displaying the video sequence in substantial synchronicity with annotative information associated with a currently viewed segment of the video sequence (page 13, lines 26 – 32)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jain et al (US 6463444) discloses video cataloger system with extensibility.

Jasinschi et al (US 6748158) discloses method for classifying and searching video databases based on 3-D camera motion.

Fuller et al (US 6877134) discloses integrated data and real – time metadata capture system and method.

Jain et al (US 6360234) discloses video cataloger system with synchronized encoders

Abecassis (US 6151444) discloses motion picture including within a duplication of frames.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SHUWANG LIU
PRIMARY EXAMINER